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Consumers spiritual rights in the islamic banking dispute out of court settlement in Indonesia

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From the perspective of consumer protection, consumer of Islamic Financial Institution has spiritual rights, in which their religious rights are guaranteed in the form of sharia principles. The problem is that the provisions in Indonesia, Financial Services Authority Regulation Number 1/POJK.07/ 2014 concerning Alternative Disputes Settlement Institutions do not contain clauses related to these spiritual rights. Using a doctrinal approach, especially philosophical, juridical, and practical, this study aims to analyse the Financial Services Authority Regulation using the perspective of consumer protection, specifically spiritual rights. The results of the study found the disharmony of law in the alternative disputes settlement. If the problem does not receive adequate attention, it means that it does not encourage the legal certainty that is needed for Indonesia Islamic economic law development. © 2018, Association for Social Studies Educa. All rights reserved.

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Consumers Spiritual Rights in the Islamic Banking Dispute Out of Court Settlement in Indonesia

Ro'fah Setyowati¹, Indah Purbasari², Encik Muhammad Fauzan³

Abstract

From the perspective of consumer protection, consumer of Islamic Financial Institution has spiritual rights, in which their religious rights are guaranteed in the form of sharia principles. The problem is that the provisions in Indonesia, Financial Services Authority Regulation Number 1/POJK.07/ 2014 concerning Alternative Disputes Settlement Institutions do not contain clauses related to these spiritual rights. Using a doctrinal approach, especially philosophical, juridical, and practical, this study aims to analyse the Financial Services Authority Regulation using the perspective of consumer protection, specifically spiritual rights. The results of the study found the disharmony of law in the alternative disputes settlement. If the problem does not receive adequate attention, it means that it does not encourage the legal certainty that is needed for Indonesia Islamic economic law development.

Keywords: *Consumers Protection, Spiritual Right, Islamic Banking Dispute, Settlement Out of Court.*

Introduction

Spiritual aspects are inherent in everyone. From a consumer protection perspective, every consumer has a spiritual right that needs legal protection for every business transaction carried out. Therefore, if a business dispute occurs, then in the dispute resolution process, it is important to pay attention to the fulfilment of the consumer's spiritual rights, as intended.

In a paper about Islamic banking (Setyowati, 2012a), stated that for the past five decades, the Islamic financial system has grown and developed universally. Various countries in all continents have responded well to the implementation of the Islamic economic system, such as in Asia, Europe, Australia, America, and Africa. Recognition of the advantages of the Islamic economic system by the community, marked by the establishment of sharia-based business institutions that are growing, both in variety and in number. Related to this

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Interpreting for Forced Migrants in Health Care: Interpreters' Training through Patients' Perceptions in Russia

Larisa Lutskovskaya¹, Ekaterina V. Zvereva², Elena P. Kalashnikova³

Abstract

The paper provides preliminary study in the field of provision of interpreting services in various health care settings including medical institutions and border-cross points for people with limited official language proficiency in Russia through the prism of linguacultural mediation. Special emphasis is laid on possible barriers in interpreter-mediated communication in health care domain. The research aims to explore target audiences' perceptions regarding the extent to which the interpreters' instruction curriculum meets professional challenges that interpreters might face while working for migrants and refugees in healthcare settings. The research methodology applies qualitative and quantitative methods as well as cluster and factor analysis. The research also features an empirical experiment involving interviews with foreign patients of a Russian hospital, forced migrants living in Russia under status of temporary asylum, and graduate students doing their master degree program "Interpreter and Translator for Public Services and Institutions" in Russia. The research findings obtained through surveys of target audiences suggest that linguistic and interpreting competences alone are not sufficient enough to ensure effective interpreter assisted communication in health care setting. Besides knowledge of field related terminology, a health care interpreter has to act as lingua cultural mediator, bridging the cultural gaps between the communicants both in medical institutions and border-crossing points. The present article has both theoretical and practical value as its findings can be used in determining the content and structure of master degree courses on interpreting and translation in health care settings.

Keywords: public service interpreting, health care setting, linguistic and cultural mediation, forced migration

Introduction

The processes of mass migration have reached global scale during the last decade and affected the majority of the developed countries. Irrespective of the nature of migration, be it labor, academic or forced migration caused by armed conflicts, the process impacts all levels of host society including health care domain.

Next, migrants' accessibility to health care services is a complicated as well as sensitive issue as it concerns not only to administrative formalities required by legal regulation of health care services provision in the host country, but also language and cultural barriers that foreigners often

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Model United Nations and Experiential Learning: An Assessment of Changes in Knowledge and Attitudes

David K. Jesuit¹ & Brian Endless²

Abstract

Despite the popularity of Model United Nations, no effort has been made to directly assess student learning since 1984. Accordingly, we developed and administered a pre- and post-conference survey to participants in the 2007 American Model United Nations (AMUN). We assessed whether participating in the simulation affected students' general knowledge of the UN; their attitudes towards the UN and the most important member states; and their understanding of diplomatic strategies. We find that first-time participants increased their general knowledge, developed a more realist orientation towards international relations, and placed more emphasis on the importance of individual agency in world affairs.

Key words: *international relations; Model United Nations; realism; simulations; student assessment; deep learning.*

Introduction

Experiential learning is essentially 'learning from experience or learning by doing' that 'encourages reflection about the experience to develop new skills, new attitudes, or new ways of thinking' (Lewis and Williams, 1994, p.5). Within the social sciences, one of the most popular methods of promoting experiential learning has historically been Model United Nations, as the latest estimates show that roughly 400,000 students at all educational levels participate in simulations of the United Nations in more than 400 conferences held in 35 countries around the world (Crossley-Frolick, 2013, p. 187). Despite the popularity of these academic competitions, little effort has been made to directly assess student learning through use of participant surveys since 1986 (Hazleton and Mahurin, 1986). See also Hazelton and Jacobs, 1982-1983). Nonetheless, a good deal of research has been undertaken, including a focus beyond the Model

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